

RECEIVED & FILED
99 OCT 22 PM 2:19
CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.
97-2309 (PC)

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

JUAN R. ORTIZ GONZALEZ,

Plaintiffs,

vs.

FONOVISA, DISTRIBUIDORA NACIONAL	\$
DE DISCOS, INC., DISTRIBUIDORA	\$
APONTE, INC., ABC COMPANIES,	\$
JOHN DOE, R,S,T,X,Y INSURANCE	\$
COMPANIES	\$

Defendants

SECRET

Civil No. 97-2309 (PG 4)

Action for:
Products Liability,
Negligence and Damages

TRIAL BY JURY DEMANDED

STIPULATED NON-DISCLOSURE AGREEMENT & ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the respective parties hereto by and through their counsel, that Defendant FONOVisA, INC. will produce for discovery and inspection, the documents that it agreed to produce during the discovery proceedings pursuant to the stipulations set forth below. Since the information contained in those materials referred to above are privileged and/or confidential or proprietary or contain trade secrets, the discovery and inspection as to all those records will be conducted pursuant to the following terms, restrictions and conditions:

1. The information contained therein shall be disclosed only to counsel of record in this action or only to individuals certified by such counsel as employed by or assisting counsel in preparation for, or during the trial of this action, including the parties and witnesses of said parties.

2. Any such documents or information shall be used only for the purpose of prosecuting this action, and for no other purpose whatsoever.

3. Any person or firm to whom such documents or information contained therein is to be disclosed shall first be advised by counsel making that disclosure that, pursuant to this Protective Stipulation for Non-Disclosure, such person or firm may not divulge any such information to any other person.

4. In the event that any document or that the information contained therein is included with, or that the contents thereof are in any way disclosed, in any pleading, motion or other paper filed with the Clerk of this Court, FONOVISA, INC. may seek an order requiring that such confidential document(s) or information shall be kept under seal by the Clerk until further order of the Court. Upon good cause shown, the Court may order that the use of any such document(s) or information contained therein and any testimony associated with the confidential information contained therein shall be held in camera.

5. The production of such document(s) or information by FONOVISA, INC. shall not constitute a waiver of any privilege or other claim or right of withholding or confidentiality which it may have.

6. Upon the termination of this action, all copies furnished by FONOVISA, INC. to Plaintiff or any other party to this action, together with all originals and copies of notes,

sketches, data, compilations, extracts and reproductions furnished by FONOVisA, INC., shall be returned to counsel for Defendant, together with a letter from Plaintiff's counsel that all documents, copies of such documents which were provided by FONOVisA, INC. have been returned to Defendant FONOVisA, INC.

SO STIPULATED:

DATED: This 21st day of October, 1999.

RAFAEL SILVA ALMEYDA, ESQ.
P.O. Box 363873
San Juan, PR 00936-3873
Phone: 787/765-4540
Fax: 787/765-4065

CASTELLANOS LAW FIRM
510 BankTrust Center
255 Ponce De Leon
Hato Rey, PR 00917
Phone: 787/767-0335
Fax: 787/754-6514

ATTORNEYS FOR PLAINTIFF

ATTORNEYS FOR DEFENDANT

By: Rafael Silva Almeyda
USDC PR 206901

By: Kenneth C. Suria
USDC PR 213302

SO ORDERED:

In San Juan, Puerto Rico on this the 21st day of October, 1999.

Juan Perez Gimenez
JUAN PEREZ GIMENEZ
U.S. DISTRICT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this same date, I sent a true and exact copy of the within Motion to Jesus Rabell, Esq., P.O. Box 193540, San Juan, Puerto Rico 00919-3540 and to Rafael Silva Almeyda, Esq., P.O. Box 363873, San Juan, Puerto Rico 00936-3873.



KENNETH C. SURIA